

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10136-RGS
)	
MARK NUTTER)	
)	

JOINT MOTION OF THE PARTIES TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney William H. Connolly, and the defendant, by and through his attorney, Stephen Weymouth, jointly move, pursuant to 18 U.S.C. §3161 (h)(8)(A), to exclude the period of time commencing on December 11, 2006, and ending on March 12, 2007. As grounds therefor, the parties recently agreed to continue the scheduled trial from December 11, 2006, to March 12, 2007, because of a personal, family-related issue that made AUSA James Lang, one of the two prosecutor's assigned to the case, unavailable to begin trial on December 11.

WHEREFORE, both parties respectfully request, under 18 U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusions outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above

period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney,
By:

/s/ William H. Connolly
Assistant U.S. Attorney
(617)748-3174

Respectfully submitted,

MARK NUTTER
By his Attorney,

/s/ Stephen Weymouth

DATE: November 30, 2006